Tape: 052

Transcript of Interview with Eleanor Schwartz

Conducted by Hans Stuart and Jim Muhn

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INTERVIEW WITH ELEANOR SCHWARTZ

for BLM History: February 1988, Washington, D.C.

[Eleanor Schwartz is interviewed by Hans Stuart and Jim Muhn]

Side A

Stuart: What we're doing is with Project Pride. We have a 200-page paperback book for all employees and it's an overview not a scholarly history; it's more of a description of the agency mostly after '46. How programs and multiple use developed and evolved along with giving you feeling of the people of the Bureau, places, and events.

We've gotten a little bit of criticism from professional historians who want a "professional" history, and that's not our intent at all here; [it's] more of an orientation. People need to understand what this is that we're trying to do and these sidebars we hope will make it much more readable and interesting, featuring all sorts of different things. The history is chronological, the first chapter dealing with GLO and the Grazing Service, but everything from then on is BLM since '46. Jim is working on GLO and Grazing Service and BLM up to about '61. I'm going to be working on most of what happened afterwards, the Classification and Multiple Use Act, etc.

Schwartz: I was wondering: you have a lot of retirees and so on here ... why don't you go to Irving Senzel?

Muhn: We're interviewing Mr. Senzel tomorrow morning at 10 o'clock.

Schwartz: Good, because he was here through the transition from the Grazing Service to BLM and he had a fantastic memory.

Muhn: I talked to him on the phone a couple of times and he seems really sharp from when I talked to him.

Schwartz: Well, I don't know whether I told you, but he was my first boss when I came here and he would seem to me to remember dates and page numbers going back 15 or 20 years. I don't know whether he still does.

Stuart: It's a lot of continuity. You will find your name on one of those pages. This is what we're thinking of and if we're wondering if you'd be willing to write a short two and a half to three page ...

Schwartz: You know I did an article for the Arizona Law Review on clerk. I'd be glad to give you a copy.

Muhn: Oh, is that that volume that was put out that had a whole series of articles on putting on FLPMA [Federal Land Policy and Management Act]?

Schwartz: That's right. Yes, I have copies of my article. It really tells about the legislative process and how we got through it from 1971 on up and the cliff hanger ending to it. Of course, Mike Harvey was involved in that too and he is more prolific than I; he has written a lot of articles about many things not only this.

Muhn: In fact we may have him write something on the CMU Act for us. He talked quite a bit about it when we interviewed him. Because he started with the BLM about that time and was heavily involved in it and written a few articles on it.

Schwartz: You're only incorporating articles in here? articles that people are writing ...

Stuart: No, we're writing text. This is kind of a supplement like Time magazine has used little stories with a color field in the background just highlighting a particular aspect. We

anticipate in this 200-page book we're doing 150 pages of text. Fifty pages will be the sidebars contributed by people.

Schwartz: Because, and Mike may have this, there was a change of correspondence between Wayne Aspinall and President Kennedy on the need for the Public Land Law Review Commission and I probably have a copy of it somewhere if I have time to go through my files. It was incorporated into a little booklet that the Commission published. As I say I can probably find it in my files. Have you talked to Mike Harvey yet?

Stuart: Not this time. We talked to him in November.

Schwartz: OK. If you talk to him, he was on the Commission staff and he may have those things better indexed than I do. I've just got them in files without indexing. He may have that; if he doesn't, come back and ask me for it ...

Muhn: The sidebars are very short. They're 300 to 500 words so they're relatively short. But like we're saying, a lot of them deal with BLM people and what they do for their job. One, we're trying to make the history more of an agency history and trying to make it more a personal thing ...

Stuart: These are like snapshots.

Schwartz: I'll see what else I can think of that I may of collected from that time.

Stuart: Would you be willing to write one for us, or let us extract maybe?

Schwartz: You're welcome to extract from that. It says copyright 1979. You can tell them you have my permission.

Stuart: OK, that was on FLPMA then or the Public Land Law Review Commission.

Schwartz: Oh, you want the Public Land Law Review Commission? This was FLPMA. I could give you something on the Public Land Law Review Commission.

Muhn: Or would you feel more comfortable with FLPMA?

Schwartz: Well, I don't know, I wasn't on the Commission and I wasn't staff or anything. It's just the view from here. I have the sets of all the studies that it did. Mike Harvey was actually staff person on the Commission staff and so you might want to get his view of it too, because he can tell you what it was like on that side of the fence.

Muhn: Were you working on in this office when FLPMA was passed?

Schwartz: Yes. I was working in this office when, during the years of the Public Land Law Review Commission, and also when FLPMA was passed. I had a lot of input in this. OK, let me show you something. This was the best piece of recognition that I ever got.

[Ms. Schwartz holds up a chessboard with key FLPMA figures identified as chess pieces].

You see me there? I'm the only woman there ... Now that's an Irving Senzel job. He wrote an article for the National Forestry Magazine, and he included that in there; and here is Senzel. Harvey's over here somewhere ... This is Gene Berghoffen of the Forest Service; he and I were counterparts. So, neither of us get our names put in as the cowboy and miner stuff ... but like I say, it's the nicest piece of recognition I've ever gotten!

Stuart: That's great. Maybe a good place to start would be when you came into the Bureau, when that was, and what jobs you've done with them.

Schwartz: OK, I came into the Bureau in August of 1962 the same day that Karl Landstrom's first grandson was born. When I went into tell him I was on board he said, "well, I've just been told that I have a grandson!" At that time, I worked in what was called the Division of Lands or Lands and Realty. I handled lands work. I did Desert Land Act and the Small Tract Act, and public lands sales and all sorts of activities like that, and I wrote regulations and manuals and instruction memoranda and so on, on all of those subjects and learned all about all of those things. And of course, the Public Land Law Review Commission came into being and I attended many many of those sessions and was involved in them, in reviewing the recommendations and the comments and so on.

About 1969 or '70 or so, there was a reorganization, and the decision was made that the responses to Congress and the testimony and reports to Congress were being handled by individual divisions and they did not have an overall Bureau perspective. So, this Division was set up and Mike Harvey was the first chief of the Division. At that time, I was the only person who worked with the Division. We also handled the regulations, he handled legislation, I handled the regulations. Eventually we acquired more staff, and eventually he went to Public Land Review Commission first, I guess, and then I came into this position. Our staff has increased sufficiently so I have now three regulations specialists, and three legislative specialists, and then the support staff who works with us.

I was deeply involved in FLPMA. It ran over a period of about five years or so and finally in the 95th Congress, I guess, then Congressman Melcher decided that he was going to write his own bill, and he was going to have the committee, his subcommittee, write the bill so he had a series of sessions that ran over the course of almost two Congresses. They would write provisions of the bill at that time. Senzel, I think was, he had retired from the Bureau, he was a staff person there and he did a lot of the writing. And I did a lot of the writing because they would do a paragraph or a section or whatever and say, "well what does the

Bureau think of it?" or will you write something up for us and so on, so I did a lot of the writing.

Stuart: So, it was Melcher's lead in doing it.

Schwartz: Right. He had picked up a lot of the language. There were several bills. Right after the Public Land Law Review Commission issued its report, within about six months the House under Aspinall's direction ... wrote a gigantic land bill, which covered not only public lands but private lands. It was a huge document and that was the first of them. And then in each Congress after that there was some variation or modification of it and eventually Congressman Melcher developed his bill, which became finally after, I think, it went over a Congress from the 95th to the 96th. Then it became BLM's legislation. They used to call it our organic act, but it really is not our organic act, because we were organized back in 1946 so that's not a proper term for it and luckily, we rarely call it that anymore.

So, I have seen the Bureau go from a land disposal agency to a land holding agency to a land management agency and really seen the changes in it. We had one recreation specialist when I came here and that was it. And now, of course, we've got a division and much more emphasis on recreation and much more emphasis on management.

We're just beginning to be aware of the fact that we should manage lands, because we weren't really in those days. We were busy with small tracts, and we were busy with lieu selections and that was a huge project in those days, and scrip (you remember scrip?). We went through a period where a couple of people were looking through all the pieces of scrip and going through phone books and finding people with the same names and saying, "I have a piece of paper that says Henry Schmit, are you related that Henry Schmit and so on, and this may be of value to you" and so on. There was a man in the Eastern States Office, Andrew Pillman, who handled all of those. It was an enormous and messy, messy project. But they eventually cleaned those up; but was what we were handling in those days cases like that. All individual cases. Until the concept of Classification and Multiple Use Act came by and the idea that these lands were valuable, and we should be retaining them, and so on.

Stuart: I wanted to ask about that; how did the Classification and Multiple Use Act come into being? I think maybe it had a lot to do with Stoddard and maybe Udall ...

Schwartz: If I have time, I'll try to look for those letters. It really came about I think about a part of the Aspinall direction because he was talking about a Public Land Law Review Commission that would review all of those laws and so on, but during the time that they're reviewing the laws there should be some protection to the lands so that they are there to be managed if in fact the Public Land Law Review Commission thinks they should be managed. That was a three-part arrangement: they published the sales act, the Classification and Multiple Use Act, and the law that authorized the establishment of the Public Land Law Review Commission and that was all part of that same project and I think that he had more to do it than anybody. It was really an Aspinall concept; of course, he worked closely with Udall, who was very receptive to it.

Stuart: They had, I'm sure they had, very different philosophies. I guess Aspinall has been portrayed as more of a developer and minerals work. And Udall was the conservationist.

Schwartz: Right, and of course they had on his committee the Congressman from Pennsylvania. Oh John Salem, of course, and John Salem was very much a conservationist and he and Aspinall had much respect for each other, but they also were absolutely on opposite sides of the fence. Salem would not allow FLPMA to go through until there had been some recognition of ACECs [Areas of Critical Environmental Concern] and so on.

Muhn: I was wondering, maybe the letters were in the report.

Schwartz: No, they are not, but I have them ... they were in a little pamphlet and I'm sure I have them in my file in the other room ...

Stuart: You were in the Division of Lands of Reality then?

Schwartz: Yes, until they established this. They changed the name a couple of times; we were basically the Division of Lands and Reality. I have a list of all the laws that I think were important in the force of the years that I have been here. A very valuable document, you can't get them anymore they've reprinted them once. You just can't get these anymore.

Stuart: Does the Library have this?

Muhn: I have a copy in my personal library ... A guy retired in our office had that plus the legislative history, the big green thing, I grabbed that.

Schwartz: Oh, I can give you one of those if you want it because I actually pulled it together. I had somebody come in from one of the field offices to work with me. The Solicitor's office ordered some ...

Stuart: I'm kind of curious what was happening in the meantime when the Public Land Law Review Commission was established, and the other two acts were passed and Chuck Stoddard was trying to institute a planning system in BLM in more of a multiple use kind of outlook in management style. This was then independent of the Commission. How was he able to get more emphasis on other programs in this interim period of study?

Schwartz: I don't know. There was a gradual change in emphasis; I think the passage of the Classification and Multiple Use Act really is what started it. They were probably looking at the lands. Now Irving may think that it started earlier than that because he may have been more in a policy position ... than I was at that time because I started as a very uninformed Easterner who was dealing with all these Westerner issues and problems and people in an era when there weren't many women

doing the kind of work that I was doing. So, things were a little bit different then.

Muhn: Were you among the first women professionals coming into the Bureau about that period of time or were there other women?

Schwartz: Well, I think there were a few. I don't know whether you got Doris Coagule [Koivula?] down here. I think she may have been here at the time. There was nobody in a supervisory position at that time as far as I can recall. For a long, long time, I was the only Grade 15 in the Bureau, out of all the females for too long a time. Frankly, there are now people in other positions, so things are very different now than they were then. But it was a long time before there was anybody else.

Muhn: One other thing before we go on. When you you looked at our outline the first time you made some comments and we have incorporated some things in there that you mentioned. One of the things was [the] Small Tract Act. What we've done is we will not, even though our history rather chronological, we're really not going to touch it when it was originally passed. We're going to pick up the discussion in the early BLM period, late '40s early '50s is where we're going to first pick it up because that's when it really starts to become a workload and a problem for the Bureau, and we'll mention the fact that it was passed in '38. That's when you really start to see it start to get out of hand.

Schwartz: Right, and when the soldiers came back, I was not involved in this, but Irving may be able to tell you when the soldiers came back from the war. They all wanted a little bit of land, 5 acres I guess it was. There were stories that I heard about the building companies who had three sided shells of houses. It had to have a door and two windows, I think. And they would put the structure there and the inspector would go out and there would be a building with a door and two windows and they'd see that they'd been built on them, so they approved it and two days later they would be gone because that structure was somewhere else. As I say, Irving may know about that

because he was here at the time. That's an interesting bit of history!

Stuart: It was interesting what led up to the '60s and the Public Land Law Review Commission and that bit backlog in applications in the '50s, and Udall came up with his moratorium ... ushering in a change from disposal to holding to management...

Schwartz: Yeah. Does anybody have all of the press clips from the releases that were issued? I used to save a lot of them. ... Some of them are very interesting in terms of things don't change; we have the same problems now that we had then. Rights of way, for instance and how they were handled. ... I'll look and see what I have collected, it will at least go back 25 years.

Side B

Muhn: What do you think have been the most significant issues, problems, and accomplishments in the time that you've been with the Bureau?

Schwartz: Well, I guess the most significant issue was whether we are a land managing or a land disposal agency, and once that was resolved that changed our whole outlook on life. Our problems, our biggest problem is getting public respect for us and other agency respect for us. We still are frequently downgraded by Forest Service, Park Service, and others. And they still look at our lands as their private source of ...

Stuart: Lands for exchanges to complete parks.

Schwartz: That's right. Unfortunately, with the shortage of funds, this happens more and more. In getting recognition for the fact that we really have lands not only worth maintaining but should be maintained on multiple use concepts, because putting them into the parks for instance or Fish and Wildlife

jurisdiction really would not take advantage of all the values that are in the lands. ...

Stuart: Yeah. Like Kofa Game Range, Cabeza Prieta went to [the] Fish and Wildlife Service.

Schwartz: Right and now they with [wish?] they didn't have it.

Stuart: Did you have a list of recommendations made the by the Public Land Law Review commission that were put into law? We'd be interested in that.

Schwartz: Actually, it was not quite that it was when they were working on the various bills.... I think, as I look at it, this was before FLPMA it was before they were considering it, and these are all the recommendations and we had numbered them. I had numbered them all. ... It was at that night, and we thought it was lost; they'd pushed everybody out of the room and the committee members and the staff went in there and a in few minutes they came out and said "OK we've come to an agreement." That was because of the differences in opinions as to the issues.

Stuart: Do you cover that in this here [the FLPMA article]?

Schwartz: Yes.

Stuart: Good. It's so interesting, NEPA [National Environmental Policy Act] was like that. NEPA was the last minute, passed unanimously. We were talking to Ron Hofman about that. I'd forgotten how the sixties went. I really enjoyed the sixties, the environmental movement, the civil rights movement....

Schwartz: That big, that massive land management bill I was on the Hill the day it was defeated and I remember seeing the staff person who had been handling it and he was so dejected, he said "I gave two years of my life to this and they defeated it."

Stuart: When was that?

Schwartz: Oh that must of been in '71 or '72, something like that.

Stuart: And why was that, did it cover all agencies?

Schwartz: It was too much, too big, too much; they weren't ready for it yet. A bill like FLPMA needs a few years to go through. You can't push it through right away. It was so new and so different, it needed time for them to mellow, to get used to it and to think about it; you just can't push it through. Because of the diversity of opinions there are of interest.

Stuart: What's fascinating to me is [that] the environmental movement was so strong, yet so few people knew about BLM and public land issues, they were wrapped up in preserving parks and wrapped up in endangered species. But there wasn't that much knowledge of BLM ...

Schwartz: Yes, the only thing they knew about was wild horses. Wasn't that passed in 1970? The Wild Horse Annie Act? I'm sure it was 1970.

Stuart: Oh, here it is. I guess we have 1971.

Schwartz: Right and that was because of wild horse Annie from Nevada.

Stuart: I loved Barbara Vucanovich's question about how many unadopted animals there are ... there were audible gasps in the back there.

Schwartz: This is your list of ...

Stuart: Yes, we would like you to review that to see if there are some pieces of legislation we've left out.

Schwartz: You have seen the book with all the laws ... that the Public Land Law Review Commission put out? and you've seen the history of public land laws?

Muhn: Gates? Yes. I have one in my own library ... and I've been exchanging correspondence every so often with Professor Gates. He's the one who really got me interested in public land law ... There were a lot of laws you know, 5,000 laws, there's a lot to put in.

Schwartz: Right, we used to say that FLPMA repealed 2,000 laws, but did not count them all up ... I can't tell how many there are.

Stuart: I guess a lot of laws were individual transfers of land ... Well, I guess we've gone over loosely some of the issues and some of the problems BLM faced. Could you go over some of what you're most proud of in terms of accomplishments and maybe how legs and regs have helped ... It's such a period of transition and change.

Schwartz: What I am proud of or what I have done?

Stuart: Yeah, what you've done.

Schwartz: Well, I guess I'm proud of the fact that I had part in FLPMA. I think that I had a part in PRIA and that was a laborious thing, getting that formula ... we must've written that formula about 50 times. Every time there was just a slight variation and that was a difficult thing to accomplish.

I guess I've done a lot of directing services for a lot of members of Congress. A variety of things and not always things that I would necessarily approve of or that the Department approved of. It was always a challenge to write them in such a way that they would be the least objectionable. Of course, that's interesting and I've enjoyed that and I've enjoyed the contacts with the members. I've had more contacts with some than others, obviously. That's been a nice part of the activity that I've been involved in.

Regulations are harrowing ... it can be very difficult. The curious thing is that with all the laws that were passed to reduce paperwork, our paperwork has increased at least three-fold and that's very interesting. The Paperwork Reduction Act and all those things, they just don't work. They just make more paperwork for us.

... It's interesting to get the comments from the public and see how they react to what we're saying and the campaigns, the postcard campaigns that come in; 4,000 comments on our grazing regulations or the grazing feed regulations or that kind of thing. It's interesting. What's frustrating is that you do a good bill, you write a really good bill, then Congress gets a hold of it and tacks something on to it that makes it a bad bill.

We were talking about the Oil & Gas Reform Act and a couple of things that they never even thought about putting in there that they should've put in there. And if they had taken the time to think about it, should've been included it was the logical place.

You never know how something's going to come out of Congress. Sometimes people will get up on the floor and propose an amendment and there'll be no hearing, there'll be no comment, there'll be no discussion, but somebody will say "well, will this have any adverse impact?" and the other one will say "oh no, no, no, this is a very simple bill." Then they pass it.

The Navajo Hopi Resettlement Act is one of those that we worked on long and laboriously and yet ... they've passed two Acts since then to try to resolve the problems and it’s still not resolved. There's still some Navajos who refuse to move and they are still on Hopi land.

Oh, and you have the Alaska Native Claims Settlement Act in here, I presume.

Stuart: I think we do here, we should.

Muhn: We have a sidebar on it. Or will have a sidebar on it...

Schwartz: Yes, that was quite an enormous task and writing the regulations for that after it was passed ... we sat with several of the attorneys who represented the Alaskan interests and tried to negotiate what would be acceptable or what wouldn't be acceptable; and at that time, Bob Bruce is now on my staff, I think he was with BIA then, so he was on the other side of the fence. That was really a very big project. The Wilderness Act was before my time. It came just after ... I was handling legislation then.

Stuart: NEPA was a surely an interesting bill, because the fact it passed unanimously and people looked more at the Council of Environmental Quality and this requirement to do Environmental Impact Statements and Environmental Assessments ... Were you involved in NEPA? Was the Bureau involved with NEPA?

Schwartz: Not a tremendous amount not really ... we commented on, we got our reports from the other Bureaus and the other departments and so on, but nothing would come to us. We were not, and I personally was not involved with that.

Stuart: That sure changed the way we do business.

Schwartz: Yes, and I don't know whether anybody can tell you about the Wild Free Roaming Horse and Burro Act ... a teacher came from Oregon with a little twelve-year-old student to testify. It was the most dramatic thing I had ever seen. That little boy was fantastic, but you know, people were just eating it up and he was talking about these horrible things they're doing to the horses and what we should do about. And that's how all the children heard of it. And then they all saved their pennies and ... sent their money in, and there was enough money for this little boy and his teacher to come in and testify on it and as I said, you know, if there's anything that tugs at the heart strings, it's a little twelve-year-old who sits up there with a great deal of poise and talks about all these things. It really was a hearing to attend.

Stuart: Is there any thing you'd like us to put in the history that we haven't mentioned? We sure would like you to review that outline and look at our approach.

Schwartz: Let me go over it again and I'll let you know if I can think of anything else that might be helpful. I will look for that exchange of correspondence because I think that would be interesting. I may be able to find it.

Stuart: OK ... I'll give you my card ...

Schwartz: Thank you.